

ISLE OF ANGLESEY COUNTY COUNCIL	
Report to:	Partnership and Regeneration Scrutiny Committee The Executive Committee
Date:	The Executive 31 May 2016
Subject:	Consultation on Gypsy and Traveller Sites in Anglesey – Permanent Sites in the Menai Area
Portfolio Holder(s):	Councillor Aled M Jones
Head of Service:	Shan L Williams, Head of Housing Services
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Local Members:	Councillors Alwyn Rowlands Carwyn Jones Lewis Davies Alun Mummery Meirion Jones Jim Evans

A – Recommendation/s and reason/s
<p>Recommendations: following analysis of the responses to the consultation exercise and site assessment exercises outlined within the report it is recommended that</p> <ol style="list-style-type: none"> 1. Revised Site 3 (as shown in Appendix 1), Land at Penhesgyn, near Penmynydd is selected for inclusion in the Joint Local Development Plan as a possible allocation to meet the accommodation needs of Gypsy Travellers identified in the latest available GTANA, subject to the outcome of the further investigations outlined below 2. Further investigative work will be undertaken by IACC confirm the suitability and deliverability of the above named site from a highway safety and health impact perspective IACC will continue to engage with the residents of the unauthorised encampment at the lay-by on the A5025 to gain a better understanding of their needs and wishes and to explain the Council’s requirements. The Council will

use an independent facilitator with experience of dealing with gypsy and traveller matters to assist with this.

3. IACC will appoint an appropriate consultant to prepare site design and submit the requisite planning application. The appointed consultant and the independent facilitator will be required to involve the residents of the unauthorised encampments in the design and management of the proposed new site.
4. IACC will engage with local communities and key stakeholders regarding the proposals to develop the site with the aim of building community cohesion
5. IACC will enter into discussions with the owner of the two fields marked on the plan (Appendix 1) with a view to their purchase.
6. IACC will enter into discussions with the owner of the two fields marked on the plan (Appendix 1) with a view to their purchase.

Reasons for each Recommendation:

1. Officers have assessed a number of alternative sites and have taken account of Welsh Government Guidance in developing its methodology to assess potential suitable sites. The three sites that were the subject of the recent consultation were considered to have the greatest potential for development as Gypsy Traveller Sites. All three sites have positive as well as negative factors that need to be considered. Having considered the advantages and disadvantages of each site, on balance, it is considered that Site 3 merits selection. For the reasons explained in this report, Revised Site 3 has been selected as a proposed allocation for a permanent residential site in the Joint Local Development Plan.

Gaerwen Smallholding is not considered suitable due to the high cost associated with providing a supply of running water, as outlined in Dwr Cymru's response (Appendix 2). The lay-by on the A5025 between Menai Bridge and Pentraeth is not considered suitable due to the proximity to a busy and fast-moving A road, should there be children resident at the site, as highlighted by North Wales Police (Appendix 2). Local residents have also expressed concern about the risk of serious road accidents since there are dogs on the site, and smoke from fires has been observed drifting across the A5025 and limiting forward visibility.

2. Concerning Site 3, further investigative work is required to address some of the highway safety and health Impact issues including air quality raised in the comments submitted. Evidence suggests that these matters can be resolved. This work will be undertaken as part of the preparations for applying for planning permission.
3. Despite considerable efforts, IACC have had difficulties in consulting and engaging with the New Age Travellers living on the unauthorised tolerated encampment between Menai Bridge and Pentraeth. The use of an independent facilitator with experience of dealing with such hard to reach groups has assisted the Council in engaging with the New Age Travellers during the consultation process, and has enabled the residents to participate in the consultation. We propose continuing to use an independent facilitator when necessary in holding further meeting to talk about the process of providing a Traveller site.
4. Appointing a suitable Consultant to prepare and submit the required planning application with input from the New Travellers. Taking the views of the New Travellers into account and involving them in the proposed design and management of the proposed new site should help 'get their buy in'.
5. In order to support community cohesion and to keep them informed of developments, IACC will engage with local communities and key stakeholders in the process of developing an authorised site.
6. IACC may need to acquire one or both of the two fields referred to, in order to provide a suitable authorised residential site with an appropriate vehicular access that would meet highway requirements. The acquisition of the two fields would enable the Council to consider undertaking road widening and other highway improvements. The precise boundaries of the land to be developed will be determined at a later stage. Please note that not all the land shown on the attached plan will be required to accommodate the Travellers currently residing in the lay-by, Lon Pentraeth.

Background

The Housing (Wales) Act 2014 places a duty on Local Authorities to provide sites for Gypsies and travellers where a need has been identified. The Welsh Government Circular 30/2007 Planning for Gypsy and Traveller Caravan Sites also strengthens

the requirement that local authorities identify and make provision for sufficient appropriate sites in their Local Development Plans.

The Anglesey and Gwynedd Gypsy and Travellers Accommodation Needs Assessment 2016 (GTANA), undertaken in accordance with the Welsh Government identified needs for both permanent and transit sites in the two local authority areas. The (GTANA) 2016 identified the need for

- A permanent residential site to meet the needs of New Travellers arising from the unauthorised tolerated site at Pentraeth Road (four pitches)

Whilst visual and amenity impacts on surrounding communities and properties are important issues, there are existing planning policies in place to protect against unacceptably adverse impacts. It is accepted that finding suitable sites for Gypsy Travellers can become emotive during the planning process. However, planning decisions need to be taken in the wider public interest and in a rational way, informed by evidence, where these issues are balanced against other factors. Before an authorised Gypsy-Traveller site is developed, planning permission must be obtained. This stage in the process will provide details and certainty about matters such as vehicle access, site layout and design, landscaping. There will therefore be an opportunity for interested parties to make representations on the planning application before it is determined.

Type of sites which need to be provided and size

The GTANA (2016) provided evidence of the need to provide a permanent residential site to meet the needs of New Travellers living on the unauthorised tolerated site at Pentraeth Road (four pitches).

It is a requirement of Welsh Government that Local Authorities must carry out a GTANA every 5 years. Welsh Government acknowledge that it is difficult to accurately forecast needs over a longer period.

Officers consider that due regard has been taken of relevant Welsh Government advice and guidance in its approach to identifying possible permanent Gypsy and Traveller sites.

Justification for selecting Revised Site 3 to be taken forward into the JLDP

The following sites were included in the consultation as potential shortlisted sites

- Site 1. Existing encampment, lay-by A5025 between Menai Bridge and Pentraeth
- Site 2. Parcel of land at Gaerwen Smallholding
- Site 3. Land at Penhesgyn, near Penmynydd

Advantages and Disadvantages

The following tables set out in bullet form the perceived advantages and disadvantages of developing an authorised permanent site on each of the three sites.

Site 1. Existing encampment, lay-by A5025 between Menai Bridge and Pentraeth

Advantages	Disadvantages
<ul style="list-style-type: none"> • Use of this site would accord with preference of the existing residents to stay on this site • Existing water supply to site • Not many houses close to site • Current Site is reasonably well screened in Summer when trees are in leaf • Site located on bus route • Shops and services available in Menai Bridge 	<ul style="list-style-type: none"> • Proximity to very busy road • Improvements to vehicular access required • no/pavements nearby • Redevelopment and additional tree felling would make site more prominent • Redevelopment and loss of trees may be harmful to matters of conservation interest • On popular tourist route • Limited scope to extend site if additional pitches or children's play area required in future • private rights of way are currently obstructed • For health and safety reasons it may be necessary to relocate residents and their properties for temporary period whilst site

Site 2. Parcel of land at Gaerwen Smallholding

Advantages	Disadvantages
<ul style="list-style-type: none"> • Not many houses close to site • Proximity to shops and community facilities in Gaerwen • Travellers could stay on existing site until new site is ready 	<ul style="list-style-type: none"> • No existing water supply. significant cost in connecting to convenient water supply • Perceived threat to attractiveness of proposed Science Park • Creation of new vehicular

<ul style="list-style-type: none"> • Sufficient land available to create good environment for Travellers, including additional pitches, space for planting fruit and vegetables and children's play area if required. • Near Bus route along A5 	<p>access to comply with highway requirements would result in loss to existing hedgerow</p> <ul style="list-style-type: none"> • Additional pavements may be required to improve pedestrian accessibility • Risks to pedestrians crossing access roads to and from A55 • Site in exposed location. Little shelter from prevailing winds
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Site 3. Land at Penhesgyn, near Penmynydd

Advantages	Disadvantages
<ul style="list-style-type: none"> • Not many houses close to site • Less passing traffic than current site • Travellers could stay on existing site until new site is ready for occupation • Sufficient land available to create good environment for travellers, including additional pitches, space for planting fruit and vegetables and children's play area if required. • Purchase of private land to facilitate vehicular access would (i) increase opportunities to widen and carry out improvements to adjoining highway and/ or (ii) provide an alternative location to accommodate the required pitches 	<ul style="list-style-type: none"> • Result in loss of greenfield land • Creation of new vehicular access to comply with highway requirements would result in loss to existing hedgerow • Purchase of private land required to provide safe vehicular access to site • The proximity of the Council's Recycling Centre could detract from the proposed residents enjoyment of this site • Further from shops

Conclusions

As demonstrated above each site has strengths and weaknesses. Having considered these factors as well as the responses received during the public consultation it is considered that the availability of a water supply and road safety issues are the determining factors.

In terms of the availability of a water supply, Site 1 has an existing water supply. Having regard to comments received from Dwr Cymru Appendix 2, it would appear that the provision of mains water to Site 2 is likely to be costly because of the distance of some 700 m to the main supply to the north of the site. Whilst there is a nearer mains water pipe to the south of the A55, it would be problematic to provide a supply over the A55. The high cost of providing a mains water connection to this site would appear to rule it out for further consideration as a possible suitable Traveller site. There are no known issues in providing water to Site 3 from the existing supply at the Council's Recycling Centre.

In terms of road safety issues, Site 1 is not considered suitable due to the proximity to a busy and fast-moving A road as highlighted by North Wales Police (included in Appendix 2). This is a particular concern should there be children visiting the site. Local residents have also expressed concern about the risk of a road accident since there are dogs on the site and smoke from fires on the site have been observed in the past. A safe vehicular access can be provided to Sites 2 and 3, and both sites are located on minor roads.

A disadvantage associated with the possible redevelopment of the existing site is that the existing residents would probably need to be relocated for a temporary period to enable the necessary construction works to be completed. Whereas, widening the existing southerly access to the site and the carrying out of other measures could reduce the risk of accidents and improve highway safety, a major disadvantage of this site is its relatively small size. It is not considered that this site could be extended to provide additional pitches. Sites 2 and 3 at Gaerwen and Penhesgyn could accommodate additional pitches and a play area if there is evidence to support their provision.

Air Quality

Concerns have been received about the air quality in the vicinity of the Penhesgyn Recycling Centre making the site unsuitable for a permanent site for New Travellers on health grounds. . The Council commissioned consultants to undertake an air quality assessment screening for the proposed Penhesgyn Gypsy and traveller Site. The report concluded that the concentrations of airborne particulate matter and Nitrogen dioxide concentrations in the area are well below the air quality objective limit.

The Consultants also reviewed bioaerosol data collected since 2014... The report

highlighted an exceedance of bioaerosol levels in June 2015 but none in December 2015. The Consultants recommended that monitoring is continued to determine if the lack of exceedances in December 2015 is representative of new conditions resulting from changes in activities or the way material is handled at the composting plant. The Head of Service for Highways Waste and Property has advised that the significant reduction in bioaerosol levels in December 2015 can be explained by changes to working practice in dealing with green waste.

Further monitoring and investigative work will be undertaken to address health impact issues including air quality (see Recommendation 2.). This work will be undertaken as part of the preparations for applying for planning permission.

Summary of the findings of the independent Gypsy-Traveller Advocate

The independent advocate advised that the residents of the Pentraeth site felt very threatened by the recent media attention and that this attention has made them less willing to take part in consultations with the Council. The advocate succeeded in talking to three of the four households on site. The residents consider that they have many legitimate questions that need answering before they would feel comfortable with the consultation process. They expressed concerns about where they be would temporarily accommodated if their existing site is redeveloped, likely rental levels, what the site rules would be and proposed design and landscaping matters. Whilst the advocate has not been able to obtain the views of all the residents, he has advised that their stated preference would be to stay at their current site.

Whilst some useful information about the residents and their wishes was obtained during the consultation period, it is important that further dialogue and engagement takes place so that the Council can take account of the residents' views in the process of providing an authorised site and to enable the Council to explain their site and management requirements to the residents.

Summary of consultation

➤ Questionnaire responses

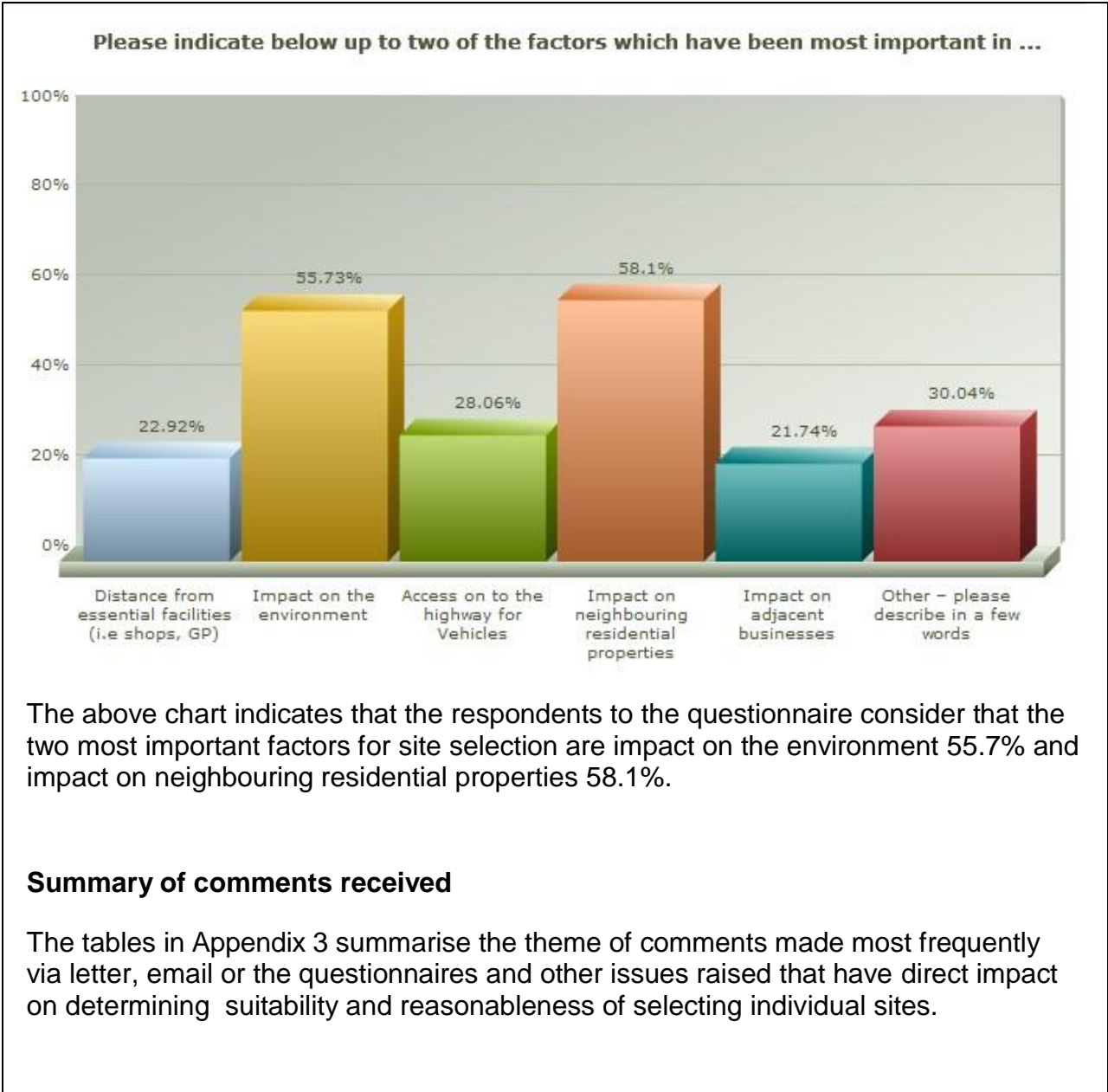
268 questionnaires were completed.

30 letters were received from the public and other interested parties

The following table sets out the responses to the first question in the consultation questionnaire which asked respondents to rank the consultation sites using 1 for preferred site and 3 for least preferred site. 30 respondents chose not to select any site.

	First choice	Second choice	Third choice
Site1. Existing encampment, lay-by A5025 between Menai Bridge and Pentraeth	77	36	125
Site 2. Parcel of land at Gaerwen Smallholding	90	64	84
Site 3 Land at Penhesgyn, near Penmynydd	71	138	29

The following graph shows the response to the final question in which respondents were asked to indicate the two factors, which were most important in their choice of site.



B – What other options did you consider and why did you reject them and/or opt for this option?

C – Why is a decision for the Executive?

The Housing (Wales) Act 2014 places a statutory duty on local authorities to provide sites for Gypsies and Travellers where a need has been identified.

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D – Is this decision consistent with policy approved by the full Council?

DD – Is this decision within the budget approved by the Council?

E – Who did you consult?		What did they say?
1	Chief Executive / Strategic Leadership Team (SLT) (mandatory)	
2	Finance / Section 151 (mandatory)	
3	Legal / Monitoring Officer (mandatory)	
5	Human Resources (HR)	
6	Property	
7	Information Communication Technology	
8	Scrutiny	<p>RESOLVED:-</p> <ul style="list-style-type: none"> • To note the report. • To note that the Partnership and Regeneration Scrutiny Committee did not make a recommendation to the Executive in respect of this matter due to various concerns expressed at the meeting. • That the decision be taken by the Executive in due course.
9	Local Members	
10	Any external bodies / other/s	

F – Risks and any mitigation (if relevant)	
1	Economic

2	Anti-poverty	
3	Crime and Disorder	
5	Environmental	
6	Equalities	The report recognises that identifying sites for Gypsies and Travellers is an issue where the Council must be aware of its duties under the Equality Act 2010 and must take positive steps to promote community cohesion and prevent discrimination, harassment, or victimisation of Gypsies and Travellers who are a protected group under the Act.
7	Outcome Agreements	

FF - Appendices:	
<p>Appendix 1 - Revised Site 3</p> <p>Appendix 2 - Letters from:</p> <p>Dwr Cymru dated <u>4 March and 8 April 16</u> North Wales Police Natural Resources Wales</p> <p>Penmynydd Community Council Cwm Cadnant Community Council Llanddona Community Council Llanfihangel Esceifiog Community Council MSParc Bangor University</p> <p>Appendix 3 - Theme of comments made by letter, email or the questionnaires and officers response</p>	

G - Background papers (please contact the author of the Report for any further information):

1. Consultation Document, Consultation on Gypsy and Traveller sites on Anglesey, February 2016.
2. Gwynedd and Anglesey Gypsy Traveller Accommodation Assessment, February 2016 Executive 08/02/16 and Partnership and Economic Regeneration Committee 02/02/16.
3. Presentation and minutes of the Joint Gwynedd and Anglesey Local Development Plan Panel dated 20/11/15 'Meeting the accommodation needs of Gypsies and Travellers in the Plan'.
4. Anglesey and Gwynedd Joint Local Development Plan Reports to the Joint Planning Policy Committee 29/01/2016
5. Anglesey and Gwynedd Joint Local Development Plan Topic Report 18A Identifying Gypsy and Traveller Sites –update 2016